IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Alex D. Taylor, #274939,) C/A No.: 1:12-2550-MGL-SVH
Plaintiff,))
vs.	ORDER
James Blackwell, Disciplinary Hearing Officer (DHO),))
Defendant.))

Plaintiff Alex D. Taylor, proceeding pro se and in forma pauperis, brings this civil action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights while incarcerated at Lieber Correctional Institution ("LCI"). This matter comes before the court on Plaintiff's motion to compel a typed transcript of his disciplinary hearing. [Entry #24]. Plaintiff alleges that in response to his discovery request seeking a typed transcript of his disciplinary hearing, Defendant submitted a compact disc ("CD") containing a recording of the hearing. Id. Plaintiff argues this is insufficient because he is housed in the special management unit of the prison and is not permitted to possess the CD in his cell. Id. In response to the motion, Defendant argues that the audio was produced in CD form because that is how the recording is maintained in the ordinary course of business. [Entry #25]. Defendant acknowledges that Plaintiff is not allowed to possess the CD in his cell, but notes that it is available for his review at LCI upon request. Id. Because Defendant can produce electronically-stored information in the form in which it is maintained in the usual course of business pursuant to Fed. R. Civ. P. 34(b)(2)(E)(i), and because Plaintiff can review the CD upon request, Plaintiff's motion to compel a typed 1:12-cv-02550-MGL Date Filed 04/05/13 Entry Number 35 Page 2 of 2

transcript of the hearing is denied.

IT IS SO ORDERED.

April 5, 2013 Columbia, South Carolina Shiva V. Hodges United States Magistrate Judge

Shira V. Hadges